

E-Filing

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 ALEJANDRO SIMBRAS-DELGADO,

17 Defendant.
18

No. 06-70303 RS

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME

SAN JOSE VENUE

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20 On June 29, 2006, the parties in this case appeared before the Court for an arraignment. At
21 that appearance, Assistant Federal Public Defender Angela Hansen explained that the parties
22 were negotiating a pre-indictment resolution of the case and that she needed additional time to
23 conduct an investigation. Therefore, the parties requested that the arraignment be continued to
24 July 27, 2006 at 9:30 a.m. In addition, the defendant, through his counsel, agreed to an exclusion
25 of time under Rule 5 of the Federal Rules of Criminal Procedure and the Speedy Trial Act from
26 June 29, 2006 to July 27, 2006. The parties agree and stipulate that an exclusion of time is
27 appropriate based on the defendant's need for effective preparation of counsel.

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1 SO STIPULATED:

KEVIN V. RYAN
United States Attorney

2
3 DATED: _____

/s/
SUSAN KNIGHT
Assistant United States Attorney

4
5 DATED: _____

/s/
ANGELA M. HANSEN
Assistant Federal Public Defender

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8 Accordingly, the Court HEREBY ORDERS that the preliminary hearing or arraignment is
9 continued to July 27, 2006 at 9:30 a.m. Good cause is shown and the continuance is proper
10 under Rule 5 of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3060.

11 For good cause shown, the Court FURTHER ORDERS that time be excluded under the
12 Speedy Trial Act from June 29, 2006 until July 27, 2006. The Court finds, based on the
13 aforementioned reasons, that the ends of justice served by granting the requested continuance
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
15 the requested continuance would deny defense counsel reasonable time necessary for effective
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

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21 DATED: 7/6/06


HOWARD R. LLOYD
United States Magistrate Judge